



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

TM:DAL
F.#2010R02373

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 10, 2012

By Hand and ECF

The Honorable John Gleeson
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Russell Ochocki
Criminal Docket No. 11-122 (JG)

Dear Judge Gleeson:

The government respectfully submits this letter to update the Court on its efforts to comply with the Court's July 9, 2012 Order. The Court directed the government to provide, in camera, "any documents in the government's possession relating to Agent Christopher Braga's shooting incidents or subsequent investigations thereof."

On Monday, prior to the issuance of the Court's Order, the government contacted the FBI to obtain a copy of any files containing relevant information. Later that day, the government learned that the relevant files, including Agent Braga's personnel file, are held by the FBI in Washington, D.C. The files are not yet digitized and there are no copies available in the New York field office. This afternoon, the government was advised that the FBI had located the personnel file, which may contain relevant information. The government is attempting to obtain a scanned, electronic copy of that file today, which it will review for relevant information for provision to the Court. The government understands that additional information may be contained in a separate investigative file, which the FBI records custodians in Washington are still attempting to locate.

The government will continue to make every effort to comply with the Court's Order as expeditiously as possible.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: s/
Darren A. Laverne
Assistant U.S. Attorney
(718) 254-6783

cc: Zachary Margulis-Ohnuma, Esq. (by ECF)